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## DISTRICT OF COLUMBIA

## ALCOHOLIC BEVERAGE CONTROL BOARD

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## SHOW CAUSE HEARING

IN THE MATTER OF:

Case #14-CMP-00039

Thoi Foods, Inc.

T/A Nam-Viet Pho 79

3419 Connecticut Avenue NW : License #25298

Retailer CR ANC 3C

Failed to File Quarterly

Statements for Quarter 1 2013:

July 16, 2014

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. Ruthanne Miller, Chair, presiding.

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PRESENT:		
RUTHANNE MILLER, Chairperson		
NICK ALBERTI, Member		
DONALD BROOKS, Member		
HECTOR RODRIGUEZ, Member		
JAMES SHORT, Member		
MIKE SILVERSTEIN, Member		

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1	P-R-O-C-E-E-D-I-N-G-S
2	9:50 a.m.
3	CHAIR MILLER: Next case is Case
4	No. CMP-00039 Nam Viet Pho 79, located at 3419
5	Connecticut Avenue, Northwest, License No.
6	25298 in ANC 3C.
7	MR. STERN: Michael Stern
8	representing the District of Columbia.
9	MR. NGUYEN: John Nguyen. I'm
10	President.
11	CHAIR MILLER: Okay, and I need to
12	ask if you got notice of this hearing.
13	MR. NGUYEN: Yes.
14	CHAIR MILLER: And did you read it
15	and understand it?
16	MR. NGUYEN: I did.
17	CHAIR MILLER: Okay, so there is
18	no issue of notice in this case.
19	Are there any preliminary issues
20	you want to bring to our attention at this
21	point?
22	MR. STERN: Yes, there are. The

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1	parties have entered into an agreement which
2	was accepted as an offer in compromise.
3	The Respondent will pay a fine of
4	\$2,000 to resolve this matter. Our
5	understanding is that the quarterly statement
6	has been filed.
7	CHAIR MILLER: The quarterly
8	operating statements have been filed, that are
9	due?
10	MR. STERN: As of May 15th, that's
11	my understanding.
12	CHAIR MILLER: Okay.
13	MR. NGUYEN: Can I clarify one
14	thing, ma'am?
15	CHAIR MILLER: Absolutely.
16	MR. NGUYEN: That was it was
17	actually filed May 15th of 2013.
18	CHAIR MILLER: Okay.
19	MR. NGUYEN: Which I understand
20	was late, but it was an error on my part. It
21	was a data entry error, where I checked off
22	'second quarter' one. It should have been

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1	first quarter.
2	So, it was actually filed, but it
3	was rather 15 days late, not May 15th of this
4	past year.
5	CHAIR MILLER: Okay, and so,
6	you're current with all your quarterly
7	statement filings?
8	MR. NGUYEN: As far as I know,
9	yes, ma'am.
LO	CHAIR MILLER: Okay.
L1	MR. NGUYEN: Yes.
L2	CHAIR MILLER: Okay, and when is
L3	the \$2,000
L4	MR. STERN: I'm sorry, within 30
L5	days.
L6	CHAIR MILLER: Within 30 days,
L7	okay, and so, I want to just repeat the offer
L8	in compromise to you and make sure that you
L9	agree to it
20	MR. STERN: All right.
21	CHAIR MILLER: so, that would
22	be a fine of \$2,000 to be paid within 30 days.

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1	MR. NGUYEN: Yes, ma'am.
2	CHAIR MILLER: Okay, any questions
3	by Board Members?
4	Okay, then I move that we approve
5	this offer in compromise of a fine of \$2,000,
6	to be paid within 30 days. Do I have a
7	second?
8	MEMBER RODRIGUEZ: Second.
9	CHAIR MILLER: Mr. Rodriguez
10	seconded the motion. All those in favor say
11	'aye'.
12	ALL: Aye.
13	CHAIR MILLER: All those opposed?
14	All those abstaining? The motion passes 5-0-
15	0.
16	Okay, thank you.
17	(Whereupon, the above-entitled
18	matter went off the record at 9:52 a.m.)
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